

Apr 26, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO RUIZ-GUZMAN,

Defendant.

Nos. 2:06-CR-02056-EFS-1
1:16-CR-02034-EFS-1

**ORDER GRANTING DEFENDANT'S MOTION
TO VOLUNTARILY WITHDRAW § 2255
MOTION**

On February 13, 2018, Defendant Fernando Ruiz-Guzman filed a Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, ECF No. 125.¹ On March 26, 2018, the Court entered an order explaining that the motion was deficient and providing Mr. Ruiz-Guzman with the opportunity to voluntarily withdraw it or file a supplement. See ECF No. 126. And on April 23, 2018, Mr. Ruiz-Guzman filed a Motion to Voluntarily Withdraw § 2255 Motion, ECF No. 128.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Voluntarily Withdraw § 2255 Motion, ECF No. 128 in 2:06-CR-02056-EFS-1 and ECF No. 40 in 1:16-CR-02034-EFS-1, is GRANTED.

2. The Clerk's Office shall administratively terminate Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set

¹ Unless indicated otherwise, all record citations are to Case No. 2:06-CR-02056-EFS-1.

Aside, or Correct Sentence, **ECF No. 125 in 2:06-CR-02056-
EFS-1.**

3. The Clerk's Office shall CLOSE these files (case Nos. 2:06-CR-02056-EFS-1 and 1:16-CR-02034-EFS-1) as well as the related civil file, No. 1:18-CV-03028-EFS.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order in both cases, 2:06-CR-02056-EFS-1 and 1:16-CR-02034-EFS-1. The Clerk's Office is further directed to provide copies to Defendant and all counsel in both cases.

DATED this 25th day of April 2018.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge